

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Digital Audio Broadcasting Systems	)	MM Docket No. 99-325
and Their Impact on the	)	
Terrestrial Broadcast Service	)	
	)	
	)	

To: The Commission

**COMMENTS OF THE WALT DISNEY COMPANY AND ABC, INC.**

The Walt Disney Company and ABC, Inc. hereby submit to the Commission Comments in the above-captioned proceeding. These Comments are submitted pursuant to the Commission's request for comment in its Public Notice dated December 19, 2001.<sup>1</sup>

**I. INTRODUCTION**

ABC, Inc. ("ABC"), an indirect subsidiary of The Walt Disney Company, owns (directly and through subsidiaries), over 50 commercial radio broadcast stations in the United States. ABC also is an investor in iBiquity Digital Corporation ("iBiquity").

Digital audio broadcasting ("DAB") is critical to the continued vitality of terrestrial radio broadcasting in the United States, and the FM in-band, on-channel ("IBOC") DAB system developed by iBiquity Digital Corporation (the "iBiquity System") provides the best means of delivering DAB service to the listening public. ABC therefore supports the conclusions of the

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<sup>1</sup> *Comment Sought on National Radio Systems Committee DAB Subcommittee's "Evaluation of the iBiquity Digital Corporation IBOC System"*, Public Notice in MM Docket No. 99-325, DA 01-2932 (December 19, 2001).

National Radio Systems Committee (the "NRSC") in its report evaluating the iBiquity System and urges the Commission expeditiously to authorize FM broadcast stations to use this standard.<sup>2</sup>

## **II. THE IBIQUNITY SYSTEM WILL SERVE THE PUBLIC INTEREST BY PROVIDING ENHANCED AUDIO QUALITY AND SERVICES TO LISTENERS**

Digital transmission of information clearly is required of broadcasters in order to continue to serve the public in the future. Virtually all media, except for terrestrial radio broadcasting, already have changed to digital. As the NRSC Report makes clear, the iBiquity System has been thoroughly tested over a substantial period of time under real-world conditions. This system dramatically improves the quality and reliability of radio services as compared to analog FM. The results demonstrate that implementation of the iBiquity System will promote the Commission's goal of enhanced audio fidelity and robustness.<sup>3</sup>

The iBiquity System also will enable listeners to receive additional and enhanced services not available with analog transmission. Such services include song title and artist information on a digital display that currently is available from satellite-delivered digital audio radio services ("DARS") but not from terrestrial broadcasters. In addition, the iBiquity System will open the door for listeners to receive new services by enabling stations to broadcast other information using the data streams. A significant market will develop for the provision of mobile wireless information services, especially to consumers in vehicles. Because much of the information desired by consumers is likely to be local in content (*e.g.*, weather, traffic, parking), terrestrial radio stations are uniquely situated to provide such services. ABC's research confirms that radio listeners not only desire these additional information services, but will demand such services if other providers (*e.g.*, DARS) offer additional data streams that FM radio broadcasters cannot offer

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<sup>2</sup> *Evaluation of the iBiquity Digital Corporation IBOC System, Part I-FM IBOC*; Report of the Evaluation Working Group of the DAB Subcommittee of the NRSC (the "NRSC Report").

<sup>3</sup> See *Digital Audio Broadcasting Systems and Their Impact on the Terrestrial Radio Broadcast Service*, MM Docket 99-325, 15 FCC Rcd 1722, 1731-32 (1999).

due to continued reliance on analog transmission. Such a situation would threaten the viability of free, over-the-air, local radio broadcast service. The iBiquity System enables today's analog broadcasters to offer tomorrow's digital services through a seamless transition.

### **III. THE IBIQUITY SYSTEM WILL PROVIDE SERVICE COMPATIBLE WITH EXISTING ANALOG SERVICE WHILE PROMOTING SPECTRUM EFFICIENCY**

The iBiquity System also will serve the Commission's goals of compatibility with existing analog service and spectrum efficiency.<sup>4</sup> The thorough testing conducted by iBiquity and the NRSC has demonstrated that the iBiquity System will enable broadcasters to upgrade to digital transmission without materially impacting the millions of listeners that will continue to rely upon analog receivers during the period of transition from analog to digital. Moreover, by enabling digital broadcasting to commence while analog service continues to be provided on the same channel, the iBiquity System eliminates the need to set an artificial timetable for transition to digital service. The iBiquity System will permit each listener and broadcaster to determine when they will convert to all-digital, thus allowing the marketplace to determine the timetable for the analog to digital transition.

In addition to making for a more seamless and listener-transparent transition to digital, the in-band, on-channel nature of the iBiquity System enables broadcasters to offer digital services without the need for the allocation of additional spectrum. Due to the congested nature of the FM band, there is not sufficient spectrum for each existing FM radio station in the United States to be allotted an additional channel for digital broadcasting. Utilizing the IBOC approach of the iBiquity System therefore promotes the Commission's goal of spectrum efficiency.

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<sup>4</sup> See *id.* at 1732-34.

#### IV. CONCLUSION

ABC supports the NRSC's conclusion that the Commission should proceed promptly to select the iBiquity System because it satisfies the criteria established by the Commission for selection of a DAB system. In addition, adoption of the iBiquity System as a single standard for DAB in the United States will facilitate the adoption of DAB by broadcasters, equipment manufacturers, and listeners and assure a smooth and timely rollout of DAB service. It is to be emphasized that the prompt rollout of DAB is critical to the continued vitality of free, over-the-air radio broadcasting, and ABC urges the Commission to rapidly authorize use of this technology.

Respectfully submitted,

**THE WALT DISNEY COMPANY AND  
ABC, INC.**

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February 19, 2002